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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/105,406 06/26/98 BLANDINA

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SNELL & WILMER  
ONE ARIZONA CENTER  
400 E VAN BUREN  
PHOENIX AZ 85004-0001

EXAMINER

ROSEN, N

ART UNIT

PAPER NUMBER

2764

DATE MAILED:

04/27/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/105,406

Applicant(s)  
Blandina et al.

Examiner  
Nicholas D. Rosen

Group Art Unit  
2764



☒ Responsive to communication(s) filed on Feb 1, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1035 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 20-33 is/are pending in the application

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 20-33 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 6

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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1. Claims 20-33 have been examined.

***Claim Objections***

2. Claims 24, 25, 26, and 27 are objected to because of the following informalities: Each of these claims recites, "the plurality of objects comprises." That should be "the plurality of objects comprise," since a plurality is plural. Appropriate correction is required.
3. Claim 28 is objected to because of the following informalities: In the first line, "plurality of financial products" should be "a plurality of financial products." Appropriate correction is required.
4. Claim 27 depends on claim 25, while claim 26 does not. Therefore, claim 27 should not be separated from claim 25. Correction is not required at this time, as the original numbering should be preserved, but if the claims are allowed, they will be renumbered.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 20-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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7. Claim 20 recites the limitation “said plurality of financial products” in line 6. There is insufficient antecedent basis for this limitation in the claim. (The first line recites “a plurality of financial *programs*”).

8. Claims 21-27 are rejected as dependent on claim 20, which is rejected under 35 U.S.C. 112, second paragraph.

9. Claims 29-33 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. These claims are unclear due to ambiguities in claim numbering. There are two claims numbered “28” in Amendment A, the second of which is treated for examination purposes as being claim 29. Similarly, the claims numbered 29 through 32 are treated for examination purposes as being claims 30-33, respectively; thus, the reference to “the method of claim 28” in newly numbered claim 30 is deemed to mean “the method of claim 29,” the reference to “the method of claim 29” in newly numbered claim 31 is deemed to mean “the method of claim 30,” the reference to “the method of claim 30” in newly numbered claim 32 is deemed to mean “the method of claim 31,” and the reference to “the method of claim 31” in newly numbered claim 33 is deemed to mean “the method of claim 32.”

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

12. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Owens et al. in view of Mandelbaum et al. Owens discloses a system for administering a plurality of financial programs, the system comprising: a database server comprising a database (column 5, line 63, through column 6, line 5), the database including a plurality of objects such that at least one of the objects simultaneously associates with more than one of a plurality of accounts (see Figure 4B).

a.Owens et al. do not disclose that the accounts are stored value products, each affiliated with one of a plurality of financial programs, but Mandelbaum et al. teach the use of stored value products, each affiliated with one of a plurality of financial programs (e.g., column 11, lines 35-40; see also Figure 2). Hence, it would have been obvious to one of ordinary skill in the art of electronic commerce at the time of applicant's invention to include stored value products in Owens's system, for the obvious advantage of enabling users to make purchases by withdrawing

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money from stored value products, and enabling financial institutions to profit from the sale of stored value products.

b.Mandelbaum et al. further teach a point of sale terminal in communication with the database server, wherein the point-of-sale terminal is configured to receive transaction data from at least one of the stored value products and to provide the transaction data to the database server (column 10, lines 6-39). Hence, it would have been obvious to one of ordinary skill in the art of electronic commerce at the time of applicant's invention to include a point-of-sale terminal in communication with the database server and configured to receive transaction data from at least one of the stored value products and to provide the transaction data to the database server, for the obvious advantages of enabling users to make purchases with the stored value product(s), and enabling the database server to record the purchases and make appropriate adjustments to the stored value product and merchant's account.

13. Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Owens et al. and Mandelbaum et al. as applied to claim 20 above. As per claim 21, Mandelbaum et al. teach authorization, so the server by which or through which this authorization is performed can be called an authorization server, and is in communication with the database server and point-of-sale terminal (page 10, lines 27-34).

a.As per claim 22, the point-of-sale terminal queries the authorization server for transaction approvals (Mandelbaum et al., page 10, lines 27-37). Hence, it would have been obvious to one of ordinary skill in the art of electronic commerce at the time of applicant's

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invention to have the database server comprise an authorization server and to have the point-of-sale terminal query the authorization server for transaction approvals, for the obvious advantage of making fraudulent charges more difficult to make.

14. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Owens et al. and Mandelbaum et al. as applied to claim 22 above, and further in view of Corder et al. Mandelbaum discloses a plurality of clients, each client corresponding to one of the plurality of stored value products (Figure 2, elements 20 and 25). Corder teaches that a client is in communication with the database server (column 4, lines 27-44), and the duplication of known features to obtain a multiple effect is held to be obvious to one of ordinary skill in the art [*St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8, 11; 549 F.2d 833 (7th Cir 1977); *In re Harza*, 124 USPQ 378, 380; 274 F.2d 669 (CCPA 1960)]. Hence, it would have been obvious to one of ordinary skill in the art of electronic commerce at the time of applicant's invention to have the system further comprise a plurality of clients, each client corresponding to one of the plurality of stored value products, and each client being in communication with the database server, for the obvious advantage of enabling a user to charge purchases or add value to stored value products through a number of clients (credit issuers, bank accounts, etc.).

15. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Owens et al. and Mandelbaum et al. as applied to claim 20 above. Owens et al. disclose that the plurality of objects comprise data structure objects (Figure 4B; column 6, lines 23-31 et subseq.).

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16. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Owens et al. and Mandelbaum et al. as applied to claim 20 above. Owens et al. disclose that the plurality of objects comprise consumer information that is available to each of the plurality of stored value products. Figure 4B shows consumer information applicable to each of the plurality of stored value products (such as the consumer's name, element 215).

17. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Owens et al. and Mandelbaum et al. Owens et al. disclose a database server for a plurality of financial products, the database server comprising a digital computer and a database (column 5, line 63, through column 6, line 4), the database comprising consumer information and a repository having a plurality of objects (Figures 3 and 4B). Owens et al. do not disclose that each object is associated with one or more of a plurality of stored value programs, each stored value program corresponding to one of said plurality of financial products, but Mandelbaum et al. teach this (Figure 2; column 4, lines 58-67), and Mandelbaum et al. further teach that each financial product accesses consumer information via at least one of the plurality of objects (the .profile files of Figure 2). Hence, it would have been obvious to one of ordinary skill in the art of electronic commerce at the time of applicant's invention to have each object associated with one or more of a plurality of stored value programs, each stored value program corresponding to one of a plurality of financial products, each financial product accessing consumer information via at least

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one of a plurality of objects, for the obvious advantage of enabling users to make purchases from stored values.

a. Owens et al. do not expressly disclose that the database comprises merchant information, but Moore teaches this (column 17, lines 31-36). Hence, it would have been obvious to one of ordinary skill in the art of electronic commerce at the time of applicant's invention to have the database comprise merchant information for the obvious advantage of facilitating transactions between customers and merchants.

18. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mandelbaum et al. in view of Owens et al. and Moore. Mandelbaum et al. disclose providing a repository of objects (Figure 2); selecting a first plurality of objects from said repository of objects to form a first stored value program, said first stored value program corresponding to a first financial product (e.g., Figure 2, elements 20 and 21, and the associated .profile file); and selecting a second plurality of objects from said repository of objects to form a second stored value program, said second stored value program corresponding to a second financial product (e.g., Figure 2, elements 25 and 26, and the associated .profile file). Mandelbaum does not disclose providing a database at the transaction server, but Owens et al. teach providing a database at the transaction server (column 5, line 63, through column 6, line 4), said database comprising consumer information (Figure 4B), wherein programs interact with the database to implement first and second financial products (e.g., see 207 and 209 in Figure 4B). Owens et al. do not teach that the

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database comprises merchant information, but Moore teaches this (column 17, lines 18-37).

Hence, it would have been obvious to one of ordinary skill in the art of electronic commerce at the time of applicant's invention to provide a database at a transaction server, said database comprising consumer information and merchant information, wherein said first and second stored value programs interact with said database via said first and second pluralities of objects, respectively, to implement said first and second financial products, for the obvious advantage of enabling a user to make purchases using first and second financial products.

19. Claims 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mandelbaum et al., Owens et al., and Moore as applied to claim 29 above.

a. As per claim 30, Mandelbaum et al. teach receiving a transaction request from a point of sale terminal, said transaction request corresponding to one of the financial products (column 10, lines 6-39).

b. As per claim 31, Mandelbaum et al. teach the step of determining a financial product corresponding to said transaction request at said transaction server (column 10, line 64, through column 11, line 2).

c. As per claims 32 and 33, if the transaction request corresponds to the nth financial product, it is necessarily processed in accordance with the nth plurality of objects (Mandelbaum et al., Figure 2, elements 20 and 25; column 10, line 64, through column 11, line 2).

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***Allowable Subject Matter***

20. Claims 26 and 27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, and also rewritten to overcome the claim objections and the rejections made under 35 U.S.C. 112, second paragraph.

21. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record, taken as a whole, fails to teach or suggest a system like that of claim 20 or claim 25 wherein, further, the plurality of objects comprise merchant information that is available to each of the plurality of stored value products.

***Response to Arguments***

22. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of Applicant's cancellation of these claims, and substitution of new claims 20-33, and in view of the new ground(s) of rejection applied to claims 20-33.

***Conclusion***

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wallner discloses a virtual POS terminal. Jorasch et al. disclose a method and apparatus for controlling a gaming device having a plurality of balances. Mackenthun discloses a gateway apparatus for designing and issuing multiple application cards. Dorf discloses a

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multifunction card system. Bradley et al. disclose a smart card providing a plurality of independently accessible accounts. The Newsbytes News Network article discloses ID's which contain information about individual cardmembers and online merchants.

24. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

25. Any inquiry concerning this communication or earlier communications from the examiner should be addressed to Nicholas D. Rosen, whose telephone number is (703) 305-0753. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.


If attempts to reach the examiner are unsuccessful, the examiner's supervisor, James Trammell, can be reached at (703) 305-9768. The fax number for this Group is (703) 308-1396.


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Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to Nicholas.Rosen@uspto.gov.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark Office on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist, whose telephone number is (703) 305-3900.

  
James P. Trammell  
Supervisory Patent Examiner  
Technology Center 2700

  
Nicholas D. Rosen

April 21, 2000